

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARGOT AUSTIN, individually and on behalf of similarly situated individuals

Plaintiffs

V.

**THE CREEK GROUP COMPANY D/B/A
CACTUS COVE BAR & PATIO, and
ONION CREEK COFFEEHOUSE BAR &
LOUNGE, AND GARY MOSLEY**

Defendants

CIVIL ACTION NO. 4:20-CV-03363

PLAINTIFFS' EXPERT DISCLOSURES

Plaintiff Margot Austin and similarly situated individual designate the following expert witnesses:

Trang Q. Tran
Tran Law Firm
2537 S. Gessner Rd., Suite 104
Houston, Texas 77063
Telephone: (713) 223-8855

Mr. Tran is expected testify as to the reasonableness, necessity of and amount of attorneys' fees in this matter and the reasonable amount of attorneys' fees billed in similar cases in Harris County, Texas, and the surrounding vicinity.

OPINION AND SUMMARY OF THE BASIS: Mr. Tran is a Shareholder of the Tran Law Firm. Mr. Tran will base his opinions on his education, training, and experience in the legal profession. Specifically, Mr. Tran will consider the following factors:

- a. the time and labor involved, the novelty and difficulty of the questions involved, and the skill required to perform the legal services properly;
- b. the likelihood that the acceptance of the particular employment will preclude other employment by the lawyer;
- c. the fee customarily charged in the locality for similar legal services;
- d. the amount involved and the results obtained;
- e. the limitations imposed by the client or the circumstances;

- f. the nature and length of the professional relationship with the client;
- g. the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- h. whether fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered.

Mr. Tran may offer expert opinion testimony regarding the reasonableness, necessity, and amount of attorneys' fees incurred by Plaintiff and Plaintiff's entitlement to these fees under the law. Mr. Tran regularly bills at \$550.00 per hour.

Mr. Tran's findings, conclusions, opinions, and testimony will be based upon his background, knowledge, experience, and the time expended on the case, the novelty and difficulty of the questions involved in the case, and any other relevant factors as defined by law. Mr. Tran may also base his opinion on all available billing information, as well as the pleadings, discovery, and other documents on file or produced in the case.

Mr. Tran obtained his undergraduate degree from Houston Baptist University in 1992 and his law degree from South Texas College of Law in 1995. He has practiced almost exclusively in business litigation, labor and employment law since 1996, primarily in Houston, TX. Additional information can be located at <https://tranlf.com/attorneys/trang-tran-trial-lawyer/>

DOCUMENTS: Mr. Tran has or will review the discovery request, discovery responses, correspondence and filings in this arbitration.

Further, Plaintiffs may introduce testimony and/or records, including any records from any experts who have been identified, or who in the future are identified, as an expert witness by Plaintiffs.

Nitin Sud
Sud Law P.C.
6750 West Loop South, Suite 920
Bellaire, TX 77401
832-623-6420

QUALIFICATIONS: Mr. Sud may offer expert opinion testimony regarding the reasonableness, necessity, and amount of attorneys' fees incurred by Plaintiff and Plaintiff's entitlement to these fees under the law. Mr. Sud's findings, conclusions, opinions, and testimony will be based upon his background, knowledge, experience, and the time expended on the case, the novelty and difficulty of the questions involved in the case, and any other relevant factors as defined by law. Mr. Sud may also base his opinion on all available billing information, as well as the pleadings, discovery, and other documents on file or produced in the case.

Mr. Sud obtained his undergraduate degree from Duke University in 2000, and his law degree from the University of Houston Law Center in 2005. He is certified by the Texas Board of Legal Specialization in labor and employment law. He has practiced almost exclusively in labor and employment law for over thirteen years, primarily in Houston, TX. He worked at Littler

Mendelson, P.C. from September 2005 to June 2010, and then Fulbright & Jaworski LLP (now Norton Rose Fulbright) from June 2010 to May 2013. Mr. Sud opened Sud Law P.C. in May 2013 where he continues to practice labor and employment law, primarily representing employees/Plaintiffs in claims against employers. He is a member of the National Employment Lawyers Association (NELA), the Texas Employment Lawyers Association (TELA), and served as a Council member of the Labor and Employment Section of the Houston Bar Association. Additional information can be located at <http://www.sudemploymentlaw.com/attorney-resume/>.

SUBJECT MATTER: Mr. Sud is expected testify as to the reasonableness, necessity of and amount of attorneys' fees in this matter and the reasonable amount of attorneys' fees billed in similar cases.

OPINION AND SUMMARY OF THE BASIS: Mr. Sud is a Shareholder of the law firm Sud Law P.C. Mr. Sud will base his opinions on his education, training, and experience in the legal profession. Specifically, Mr. Sud will consider the following factors:

- a. the time and labor involved, the novelty and difficulty of the questions involved, and the skill required to perform the legal services properly;
- b. the likelihood that the acceptance of the particular employment will preclude other employment by the lawyer;
- c. the fee customarily charged in the locality for similar legal services;
- d. the amount involved and the results obtained;
- e. the limitations imposed by the client or the circumstances;
- f. the nature and length of the professional relationship with the client;
- g. the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- h. whether fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered.

Plaintiffs may also elicit expert testimony from any and all experts or representatives who have been, or may be, designated by or called by Defendants and who the Judge allows to testify. Plaintiffs reserve all additional rights they may have with regard to experts under the Federal Rules of Civil Procedure, the Rules of Evidence, the Local Rules, and the Judge's procedures or rulings. Plaintiffs reserve the right to supplement with additional expert witnesses as discovery proceeds.

The above referenced attorneys are expected to testify as to the reasonableness and necessity of the attorney's fees, costs, and expenses which the prevailing party incurred while prosecuting this claim.

It is anticipated that testimony regarding attorney's fees and costs will be presented to the court or via affidavit, post-trial. It is anticipated that evidence supporting the attorney's testimony will be provided to the opposing counsel before the court conducts any hearing on the subject-matter of attorney's fees and costs. Plaintiffs will supplement prior to trial, if necessary.

Plaintiffs reserve the right to call undesignated rebuttal expert witnesses whose testimony cannot be reasonably foreseen until the presentation of the evidence against Defendants.

Plaintiffs further reserve the right to expand reasonably the scope of the opinions and testimony of the above-named experts as necessary and/or appropriate and as may be developed during any deposition or trial testimony given herein.

Plaintiffs further reserve the right to designate additional experts and or provide reports later, if necessary and/or appropriate, upon receipt of more complete records from Defendants and more detail as to the opinions and testimony of experts designated by Defendants.

Plaintiffs further reserve the right to supplement the information contained in Plaintiffs' Designation of Expert Witnesses as necessary.

Respectfully submitted,

TRAN LAW FIRM

/s/ Trang Q. Tran

Trang Q. Tran

Federal ID No. 20361

Texas Bar No. 00795787

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Houston, Texas 77063

Tel: (713) 223 – 8855

trang@tranlf.com

service@tranlf.com

**ATTORNEY FOR PLAINTIFF, individually
and on behalf of similarly situated individuals**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was forwarded on April 13, 2021, to all counsel of record via the Court's CM/ECF system.

/s/ Trang Q. Tran

Trang Q. Tran